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Part 6 - LICENSING AND REGULATION
CHAPTER 1. - BUSINESS AND OCCUPATIONS

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Sec. 6-1501. Short title.

This article shall be known and may be cited as "The Tour Service Ordinance of 1978."

(Code 1977, § 6-1501)

Sec. 6-1502. Definitions.

- (a) *Certified tour guide.* Any person who has passed the tour guide examination and received the certificate referred to in this chapter and who drives or operates a tour service vehicle on the streets of Savannah or who acts or offers to act as a guide for hire through any part of the city or serves as an actor during a tour, including but not limited to pedestrians and person within tour service vehicles.

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- (b) *City*. The word "city" shall mean the mayor and aldermen of the City of Savannah, Georgia, a municipal corporation, said definition to include all area within the corporate limits of the City of Savannah.
- (c) *Historic district; district*. The Savannah Historic District so designated on the official zoning map of the city.
- (d) *Holding zone*. Areas designated by the city for the parking of motor coaches.
- (e) *Hotspots*. Sections of the city designated by the city manager or his designee in which walking tours may not operate at certain times or under certain conditions.
- (f) *Idling*. The running of an engine of a motorized vehicle while vehicle is not in motion.

(Note: Uniform rules of the road—[O.C.G.A.] § 40-6-201 (Leaving motor vehicle unattended) provides that "No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engines, locking the ignition, effectively setting the brakes, and, when the vehicle is standing upon any grade turning the front wheels to the curb or side of the highway.")

- (g) *License*. The right and privilege granted by the city to a tour service company for the operation of a tour guide service or business incorporating the use of one or more tour service vehicles within the corporate limits of the city.
- (h) *Loading zone*. A public place alongside the curb of a street or elsewhere which has been designated by the city as reserved for the loading and unloading of passengers from vehicles, including tour service vehicles.
- (i) *Motor coach*. For the purpose of this section, a motor coach is defined as a passenger vehicle which exceeds 34 feet in overall body length, excluding school buses and Chatham Area Transit vehicles on regularly scheduled passenger routes within the city.
- (j) *Motor coach walk-through*. A narrated tour in the squares for passengers of a motor coach.
- (k) *Prohibited streets map*. A map which identifies streets on which motor coaches may not operate.
- (l) *Street*. The word "street" shall mean and include any street, alley, lane, avenue, court or public place in the city.
- (m) *Tour guide permit*. The written authority granted by the city for an individual to drive or operate a tour service vehicle or to conduct any tours for hire within the city.
- (n) *Tour service company*. The holder of a license to operate a tour guide service or business under the provisions of this article, whether a person, firm, partnership or corporation.
- (o) *Tour services coordinator*. The individual employee or organizational unit of the city charged with the responsibility for administering and enforcing this
- (p) *Tour service vehicle*. A vehicle engaged in the business of carrying passengers for hire or offering to carry passengers for hire, through any part of the city when the primary purpose or riding in such vehicle is not transportation but touring and sight-seeing; included motor coaches which are operated as a part of special tours and are not operated as a part of a tour service licensed by the city; excluding horse-drawn carriages, and also excluding limousines (as they are defined by the laws of the state) which are operated primarily as a transportation service vehicle and which conduct tours on a reservation basis only; provide, however, that nothing contained herein shall exempt the conduct of the tours by limousine from the provisions of this article as it pertains to the conduct of tours by tour guides. Quadricycles may operate as tour service vehicles, subject to the provisions of sections 7-1133 and 7-1134 of City of Savannah Code of Ordinances and shall only operate between the hours of 10:00 a.m. and 10:30 p.m.

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Tour service vehicles operating within the city shall be standard automobile, limousine, tour bus, van or trolley-type vehicles which are compatible with and not damaging to the infrastructure and ambiance of the historic district. Such vehicles shall be no more than 13 feet in height, shall load and unload passengers only on the right-hand or curb side, shall not have double-deck passenger compartments, shall not be combination or train-type vehicles, and shall not be amphibious or boat-type vehicles except as provided in section 6-1548 below. Any tour service vehicle which exceeds 34 feet in length shall be operated in compliance with the motor coach regulatory provisions of this ordinance.

- (q) *Walking tour.* A guided narrated tour conducted on foot by a licensed tour guide on sidewalks in squares.
- (r) *Walking tour guide.* Any person who has passed the tour guide examination and received a tour guide permit conducts walking tours.
- (s) *Walking tour escort.* A person who accompanies a group under the supervision of a licensed walking tour guide without giving a narrated tour.
- (t) *Tour service review committee.* The tour service review committee shall consist of three members to include the parking services director or appointed designee, the tourism and film services director or appointed designee and the metropolitan planning commission historic preservation director or appointed designee. The purpose of the committee is to make decisions and recommendations regarding the tour service industry to protect the ambiance and aesthetics of the national historic landmark district.

(Code 1977, § 6-1502; Ord. of 10-13-1994(3), § 1; Ord. of 2-15-1996, § 1; Ord. of 5-9-1996, § 1; Ord. of 7-18-1996, § 1; Ord. of 8-15-1996, § 1; Ord. of 11-5-1998, § 1; Ord. of 2-15-2007(3), § 1; Ord. of 5-17-2012(2), § 1)

Sec. 6-1503. License required.

- (a) No person, firm or corporation shall operate a business involving the use of tour services, other than horse-drawn carriages and limousines which are operated primarily as transportation service vehicles and only incidentally as tour service vehicles within the city, unless a license for the business has first been granted by the city in accordance with the provisions of the annual revenue ordinance. The license shall be effective only for the calendar year stated in the license, unless suspended or revoked sooner as provided for by ordinance.
- (b) Application for the license shall be made on forms provided by the city treasurer and shall include such information as is required for other business license applications and such additional information as may be necessary to define completely the business operation. Renewal of the license shall be required prior to January 31 of each year.

(Code 1977, § 6-1503)

Sec. 6-1504. Fixed place of business required.

Each tour service company, as a condition for holding a license under the provisions of this article and the annual revenue ordinance, shall establish and maintain a fixed headquarters on private property for the operation of the company's business. The headquarters shall conform to the ordinances of the city and shall provide adequate off-street parking space for all tour service vehicles not in service on the streets. The company headquarters shall not be moved except by the approved transfer of the company's license to another location.

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(Code 1977, § 6-1504)

Sec. 6-1505. Insurance for the benefit of passengers.

Any tour service company desiring a license to do business shall give and maintain a policy of liability insurance from an insurance company authorized to do business in the State of Georgia for each vehicle in use as a tour service vehicle with minimum coverage as shall be required by state law for bodily injuries to more than one person which are sustained in the same accident and for property damage resulting from one accident. Such insurance shall inure to the benefit of any person who shall be injured or shall sustain damage to property caused by the negligence or misconduct of a tour service company, its servants or agents. Such policies of insurance shall be filed with the city and shall specifically provide that such policy shall not be canceled without notice to the city.

(Code 1977, § 6-1505)

Sec. 6-1506. Blanket policy.

Any company or person operating a tour service company in the city shall give a separate policy of indemnity insurance for each separate tour service vehicle for hire, except where such company or person actually owns or holds legal title to more than one tour service vehicle, in which event, such company or person may give one policy of indemnity insurance covering all the tour service vehicles actually owned. This latter provision, however, shall not apply to any group of persons separately owning tour service vehicles who may be jointly operating or doing business under a licensed tour service company name.

(Code 1977, § 6-1506)

Sec. 6-1507. Notice when voided.

Before any policy of insurance required in this article is voided for any cause, nonpayment of premium or otherwise, notice thereof shall be given, in writing, to the city treasurer at least five days before the same shall take effect.

(Code 1977, § 6-1507)

Sec. 6-1508. Permit required.

No person shall operate a tour service vehicle for hire or act or offer to act as a tour guide within the city or play a role during a tour, and no person who owns or operates a tour service company shall permit a tour service vehicle to be driven, and no tour service vehicle operating under a tour service company licensed by the city shall be driven at any time for hire, unless the driver of the vehicle or the person acting or offering to act as a tour guide shall have first obtained and shall have them in force a tour guide permit issued under the provisions of this article; provided, however, that the operator of a tour service vehicle shall be exempt from the provisions of this section and in any case where a tour is being conducted by a licensed tour service guide who is present in the vehicle and who is conducting the tour instead of the operator of the tour service vehicle.

(Code 1977, § 6-1508; Ord. of 2-15-2007(3), § 1)

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Sec. 6-1509. Application.

Any person desiring a permit required by section 6-1508 shall submit an application in writing to the tour services coordinator on a form to be furnished by the tour services coordinator. The application shall be made under oath and shall state the age of the applicant, his or her address, and whether he or she has been convicted of a violation or any of the laws of the state or of this Code or other ordinances of the city and if so, when and for what offense, and the sentence of the court.

(Code 1977, § 6-1509)

Sec. 6-1510. Physician's certificate required.

Each application for a tour guide permit shall be accompanied by a certificate from a reputable physician certifying that, in his opinion, the applicant is not afflicted with any disease or infirmity which might make him or her an unsafe or unsatisfactory tour guide. In the case of renewal of a permit, the certificate shall be updated every two years.

(Code 1977, § 6-1510)

Sec. 6-1511. Qualifications of applicant.

An applicant for a tour guide permit under this section [article] must be not less than 16 years of age, with no physical infirmities which might make the applicant an unsafe or unsatisfactory tour guide. No permit shall be issued to any person who has been convicted of operating a motor vehicle while under the influence of intoxicating beverages or drugs within one year prior to the date of the application for such permit, or who has been convicted of the offense three or more times within five years prior to the date of the application for the permit. Nor shall a permit be issued to any person who has, within three years prior to the date of the application for such permit, been convicted of any crime of moral turpitude or who has, within three years prior to the date of the application for such permit, been convicted of a felony.

(Code 1977, § 6-1511)

Sec. 6-1512. Certified tour guide required.

All tours in tour service vehicles operating in the city, including special tours which originate and terminate outside of the city, must be conducted by a certified tour guide, and a tour guide card shall be displayed in the lower left-hand corner of the front windshield, in plain view, clearly visible from outside the vehicle. Walking tour guides and actors performing during a tour will display their tour guide card visibly on their person at all times.

(Code 1977, § 6-1512; Ord. of 2-15-2007(3), § 1)

Sec. 6-1513. Current state driver's license or valid photo identification card required.

Any person applying for a tour guide permit under this section must show that he or she has a current motor vehicle operator's license issued or approved by the state, and that the license is not under suspension or revocation. If the permit category does not require the tour guide to drive a motor vehicle during the tour, an applicant may satisfy the requirements of this section by the presentation of a valid government issued photo identification card.

(Code 1977, § 6-1513; Ord. of 2-15-2007(3), § 1)

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Sec. 6-1514. Examination of applicant; issuance or denial of permit.

- (a) *Examination.* No person shall act or offer to act as a certified tour guide, serve as an actor during a tour or operate a tour service vehicle unless he or she has first passed an examination given by the tour service coordinator or an examiner designated by the city manager. The examination shall be given not less frequently than once each calendar year per a schedule published by the tour service coordinator and shall be designed to test the applicant's knowledge of history and architecture of the city. The city may from time to time conduct special classes for applicants and may charge fees to be applied to the cost of those courses. Whether or not a class is offered prior to the examination, applicants shall be provided with a list of source material from which examination questions may be taken. The time, place and manner of the examination and the determination of a passing grade shall be within the sole discretion of the city. There shall be no limit upon the number of times an applicant may take the examination, but once having passed the examination, a certified tour guide shall not be required to take the examination for a period of three years, at which time the certified tour guide shall be required to take and pass an examination again before being issued a new tour guide permit. The tour services coordinator shall maintain and keep a current role of certified tour guides and shall provide each certified tour guide with an appropriate permit.
- (b) *Uniformity of examination and grading.* The examinations for all persons taking the examinations on the same day shall be uniform. All examinations papers shall be fairly and impartially graded and shall be retained by the tour services coordinator until the appeal period provided for hereinafter has expired. A passing grade shall be 80 percent correct answers.
- (c) *Issuance or denial.* It shall be the duty of the tour services coordinator to examine the application, the applicant's police and traffic record, his or her examination results and other vouchers, and thereafter to either grant or refuse the permit. In the event of a refusal to grant a permit, the applicant shall have the right to enter an appeal as provided for in section 6-1523.

(Code 1977, § 6-1514; Ord. of 2-15-2007(3), § 1)

Sec. 6-1515. Permit to be displayed in tour service vehicle.

A permit issued under the provisions of section 6-1509 shall be placed on display in the tour service vehicle where the permit will be in clear view of the passengers at all times. Alternatively, the permit issued under the provisions of this section may be displayed on the person of the tour guide in such a manner as to be in clear view of the public.

(Code 1977, § 6-1515)

Sec. 6-1516. Alteration of permits prohibited.

It shall be unlawful for any person willfully to alter, deface, obliterate or destroy a tour guide permit, or cause or allow the same.

(Code 1977, § 6-1516)

Sec. 6-1517. Permit not transferable.

A tour guide permit issued under this article is not transferable and is to be used solely by the person to whom it is issued.

(Code 1977, § 6-1517)

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Sec. 6-1518. Duration of permit.

Any tour guide permit shall be in effect for 12 months from the date of issue. Permits may be renewed, upon application and payment of the required fee, for each 12-month period thereafter unless the permit for the preceding period has been revoked or is suspended.

(Code 1977, § 6-1518)

Sec. 6-1519. Suspension of the tour guide permit.

The tour services coordinator shall have the authority to recommend to the parking services administrator the suspension of a tour guide permit for the following reasons: (i) making any false statement in the application for the permit; or (ii) operating a tour service vehicle in violation of any provision of this article or state law.

Following a suspension, the holder of the permit shall have the right to an administrative hearing, as provided for in section 6-1522 of this article.

(Code 1977, § 6-1519)

Sec. 6-1520. Revocation of tour guide permit.

In the event that any tour guide holding a permit under this article at any time ceases to meet the qualifications described in section 6-1511 or fails to correct satisfactorily any false statement made in the application for the permit or fails to operate his or her tour service vehicle in accordance with the provisions of sections 6-1524 through 6-1546 and section 6-1549, the city manager, shall be empowered to revoke permanently the permit or to restore the permit after a hearing as provided in section 6-1522 of this article.

(Code 1977, § 6-1520)

Sec. 6-1521. Operating after suspension or revocation.

It shall be unlawful for any person to operate a tour service vehicle for hire or to act or offer to act as a tour guide for hire during any period in which his or her permit to do so is suspended or revoked in accordance with the provisions of this article.

(Code 1977, § 6-1521)

Sec. 6-1522. Administrative hearing and appeal.

- (a) *Administration.* This article shall be administered by the tour services coordinator, who shall have authority to recommend in writing to the parking services administrator that access to designated tour service vehicle stands and/or suspension of a tour guide [permit] be denied to a tour service company for violation of the tour service for hire ordinance [this article] or state law.

The parking services administrator, after hearing evidence from both the tour services coordinator and the tour service company owner and/or representative, may deny access to designated tour service vehicle stands for a period of up to six months for violation of the tour service for hire ordinance [this article] or state law relating to tour service companies. The parking services administrator will promptly notify the

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tour service company owner in writing of such action, in which case the tour service company owner shall have the immediate right to appeal in accordance with subsection (b) of this section.

If a tour service company is denied access to designated tour service vehicle stands three times within any three-year period, and if each appealed removal is upheld, the fourth such removal within said three-year period shall be for a period of one year.

- (b) *Administrative hearing and appeal.* Any decision of the parking services administrator to deny a tour service company access to designated tour service vehicle stands or any decision of the tour services coordinator to suspend a tour guide permit may be appealed within ten days. All appeals shall be made in writing to tour services coordinator. Such appeal shall be heard by an administrative hearing panel, which panel shall be made up of (a) the revenue director or his designee, (b) the city traffic engineer or his designee, (c) the Savannah police chief or his designee, and (d) two members of the tourism advisory committee.

The administrative hearing shall be informal and shall be presided over by the revenue director or his designee. The majority decision of the administrative hearing panel shall be provided to the tour service company or the tour guide in writing within one day of the hearing. Decisions of the administrative hearing panel may, within ten days of notification, be appealed in writing to the city manager, whose ruling shall be final.

(Code 1977, § 6-1522)

Sec. 6-1523. Identification and marking generally.

- (a) *Generally.* Every tour service vehicle shall have a sign in plain view on each side of the vehicle, in letters not less than four inches high, containing the full name of the tour service company operating the vehicle. All markings must be permanently fixed to the vehicle. No electronic or neon signage is permitted. No tour service companies or tour service operators may operate a tour service vehicle of the same color scheme. Color schemes must be approved by the tour service review committee. Color scheme shall be recorded and controlled by the tour services coordinator; provided, however, that tour service companies shall be permitted to use rental vehicles on a temporary basis as replacement vehicles for permanent tour service vehicles upon notice to the tour services coordinator and with the use of temporary signs and temporary numbers on said vehicles. The use of temporary vehicles shall not exceed seven days without additional approval of the tour services coordinator, which approval shall not be unreasonably withheld. There shall be no third-party advertising of any kind on tour service vehicles.
- (b) *Trolley tour vehicle marking.* The total area of exterior markings must be no greater than 55 square feet in the aggregate and will be measured in square units regardless of the shape, structure, font, type or graphic style and will be based on markings as a whole, including the spaces between letters or images. These markings may include registered logo, company name and contact information only. Required vehicle service numbers will not be included in the aggregate measurement. Markings must be evenly distributed on the trolley tour vehicle. All markings must be consistent with approved color scheme. Except for special events for which the prior approval of the tour services coordinator is required, there shall be no temporary exterior markings permitted to be hung or affixed to the exterior of a tour vehicle. The tour services coordinator will approve the trolley vehicle markings during the vehicle inspection process.

(Code 1977, § 6-1523; Ord. of 10-14-1993(2), § 1; Ord. of 2-15-2007(3), § 1)

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Sec. 6-1524. Numbers generally.

There shall be on each side and on the rear of each tour service vehicle a number at least six inches high, such number to be a separate and distinct number from that on any other tour service vehicle in the city. The numbers must be permanently affixed to the vehicle. The number shall be assigned to the tour service vehicle and the owner thereof by the tour services coordinator and shall not be altered or changed without the consent of the tour services coordinator.

(Code 1977, § 6-1524; Ord. of 2-15-2007(3), § 1)

Sec. 6-1525. Registration of number and name of owner.

The number assigned a tour service vehicle in accordance with this article, together with the name of the owner of the tour service vehicle, shall be registered with the tour services coordinator in a book kept for that purpose.

(Code 1977, § 6-1525)

Sec. 6-1526. Safe mechanical condition of tour service vehicles required.

Every tour service vehicle operated on the streets of the city shall be maintained in a safe mechanical condition, with all safety equipment remaining intact and operative at all times when the tour service vehicle is in service. No vehicle shall be licensed as a tour service vehicle except fully enclosed, self-propelled vehicles.

(Code 1977, § 6-1526)

Sec. 6-1527. Cleanliness of tour service vehicles required.

Each vehicle operating under this article shall be kept painted and in a clean and sanitary condition, free of litter and debris, and at all times suitable for public transportation of passengers.

(Code 1977, § 6-1527)

Sec. 6-1528. State license tag for tour service vehicles required.

Prior to the use and operation of any vehicle as a tour service vehicle under the provisions of this article, the owner of the vehicle shall secure and display on the vehicle a current Georgia license registration tag.

(Code 1977, § 6-1528)

Sec. 6-1529. Vehicle inspection and certification required.

Each tour service vehicle shall be inspected by the tour services coordinator for compliance with provisions of this article and shall pass such inspection before the vehicle may be used as a tour service vehicle in the city. A yearly certification shall be issued by the tour services coordinator. Fees for certification and permits shall be as set forth in the city's revenue ordinance. All such fees shall be utilized to offset the costs for the tour services program. Each tour service vehicle involved in a major accident (major accident being defined as any accident which disables the vehicle so that it must be removed from

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operation for repair) shall be inspected by the tour services coordinator before it may be returned to service transporting passengers for hire.

(Code 1977, § 6-1529)

Sec. 6-1530. Authority for removal of tour service vehicles from streets.

The tour services coordinator shall have the authority to remove from operation on the streets of the city any vehicle used as a tour service vehicle which is in violation of this article and to prohibit operation of the tour service vehicle until all deficiencies have been corrected. Any order of the tour services coordinator to remove a vehicle from the streets may be appealed to an administrative hearing panel as provided in section 6-1522 of this article.

(Code 1977, § 6-1530)

Sec. 6-1531. Rates of fare.

- (a) *Rate card required.* No owner or driver of a tour service vehicle shall charge a greater sum for the use of the tour service vehicle than in accordance with the published and advertised rates which shall be displayed in each vehicle; provided, however, that the provisions of this section shall not apply to customized or specialized tours which are not a part of the regular scheduled tours of the company but which are separately contracted for. Rates shall be displayed in such place as to be conspicuous and to be in view of all passengers.
- (b) *Published literature.* Published literature provided by tour guides and tour guide services shall describe specifically any and all services offered and the rates to be charged therefor on regularly scheduled tours. In the event any tour is offered for hire during which said tour guide will, for any period of time, leave the immediate premises of the tour which he or she is conducting during the conduct of the tour, the published literature provided by tour guides and tour guide services shall specifically state same and shall disclose that the tour guide will be replaced by a different tour guide or a museum or house guide.

(Code 1977, § 6-1531)

Sec. 6-1532. Stands generally.

- (a) *Parking stands.* In the discretion of the mayor and aldermen, upon the recommendation of the city manager, parking stands may be designated for the parking of tour service vehicles within the corporate limits of the city. Whenever any stand is established, the stand may be used by tour service vehicles on a rotation basis of first come, first served, except as provided hereinafter. Time limitations for parking at stands designated by the mayor and aldermen shall be designated in each individual case as ordinances are passed designating the stands.
- (b) *Visitors center parking lot.* Upon application by a licensed tour service operator for a stand in the visitors center parking lot, the tour services coordinator shall assign a stand, as available, upon execution of a lease agreement for such stand. The city manager is authorized to execute lease agreements for the city ("lessor") with individual tour service operators ("lessee"). Such lease agreements shall include the following provisions:
 - (1) The lessee shall agree to conduct tours from the visitors center parking lot on a regular basis and to post the tour company's name and logo, if any, tour rates, tour departure times, and

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duration of tours on or within a sign provided by the city as lessor. Lessee shall determine tour rates, tour departure times, and the number and duration of tours.

- (2) Under such lease, the lessor will agree that in consideration of lessee's entering into a lease agreement, the lessor will permit lessee's tour vehicle access to the visitors center parking lot, will provide a designated parking space for the exclusive use of the lessee, and will furnish lessee with an appropriate sign on or within which the lessee shall display its name and logo, if any, tour rates, tour departure times, and duration of tours.
- (3) The rental rate for one assigned parking space or stand during the term of such lease shall be \$100.00 per month, or as otherwise may be provided in the annual revenue ordinance, to be paid in advance on or before the first day of each month. Rental during any portion of the first calendar month of a new lease shall be prorated by day.
- (4) Lessee shall specifically agree to comply with all requirements of the Savannah Code, part 6, chapter 1, article R, entitled "Tour Services for Hire" [this article], and with all applicable state laws related to operation of sightseeing tour vehicles.
- (5) The lessor reserves the right under such lease to restrict tour vehicle access to the visitors center parking lot and leased spaces for a period up to 15 days each calendar year. Lessee's monthly rental will be prorated by day during restricted periods. When restricted from use of the visitors center parking lot, the lessee will be allowed to load and unload passengers for the purpose of conducting tours from a location on Martin Luther King Boulevard or other appropriate location designated by the tour services coordinator.
- (6) No tour service vehicle shall park in the visitors center parking lot at a location other than the assigned tour service stand without prior approval of the tour services coordinator and except in an area designated for parking of vehicles not on duty and for charter bus parking, which parking area shall be designated by the tour services coordinator.
- (7) Entering the visitors center by a tour operator or representative is prohibited except for delivering brochures for supplying the display rack, and then only after giving prior notice by the visitors center staff.
- (8) Tour guide operators shall not be permitted to park their private vehicles in the visitors center parking lot.
- (9) Loud, boisterous, or obscene language in the visitors center parking lot is prohibited at all times.
- (10) Only one tour company representative per leased space will be allowed in the visitors center parking lot at any particular time.
- (11) Any tour company owner or tour guide who is the subject of a public complaint involving activity in the visitors center parking lot will, within three working days after notice from the tour services coordinator, make arrangements to meet with the tour services coordinator to resolve the complaint.
- (12) No person or firm may lease or use more than one tour bus stand in the visitors center parking lot, either individually or as an associate of or through any company or agency, or through common ownership at any organizational level.
- (13) Any person, firm, or corporation which holds leases to two spaces in the visitors center parking lot may use such spaces interchangeably. There shall be no requirement for separate company identities, licensing, color schemes, etc., for use of two spaces.
- (14) Lease of a tour bus space does not constitute a property right and should not be considered an asset by any tour company. If any tour company should buy or merge with another company,

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the remaining entity will have no inherent right to the leased space of the purchased or merged company.

- (15) Tour bus stands in the visitors center parking lot shall be laid out and arranged contiguously within the lot. Such stands shall be assigned and reassigned on the basis of company choice in the order of seniority rank according to company ownership and date of licensing by the city. A change in company ownership, which shall include a transfer or a change in ownership of a majority of the stock in a corporation, shall cause a loss of seniority, making such company a new company for purposes of assigning stands. Such new company shall vacate the stand held by the previous owner, move to the bottom of the seniority list, and be assigned a stand when available on the basis of its seniority. When a stand becomes vacant and available for leasing, any tour business which leases a stand shall be eligible to advance to the vacant space in the order of company seniority. Any motor tour business which holds a city business tax certificate shall be eligible to lease any vacant space, or to displace any company from a second space pursuant to subparagraph [subsection] (12) above, in order of company seniority.
- (16) The parking services administrator may establish written rules and procedures from time to time as necessary to administer lease agreements.
- (17) Administrative hearing and appeal of regulatory or enforcement action related to leased stands in the visitors center parking lot shall be as provided in section 6-1522 of this article.
- (18) The parties to lease of a tour stand in the visitors center parking lot shall specifically agree that nothing contained in a lease agreement with the city shall be construed to designate or appoint the City of Savannah as agent for the lessee, nor shall anything contained in the lease be construed to designate or appoint the lessee as agent for the City of Savannah in the performance of any of the services described in this article. The lessee shall acknowledge and agree that it is an independent business engaged in providing tour services and shall agree to defend, indemnify, and hold harmless the mayor and aldermen of the City of Savannah, Georgia, its successor and assigns, its principals, agents, and employees, from any and all claims for loss, damage, or injury sustained by lessee or to lessee's property or by any agent or employee of lessee or by any person whosoever, in connection with any matter arising out of the provision of tour services and use of the visitors center parking lot and property.
- (19) The lessee shall obtain and keep in force comprehensive general liability insurance in the minimum amount of \$1,000,000.00 for its undertakings associated with leasing a parking space in the visitors center parking lot. The lessee shall give evidence of the required coverage by providing to the tour services coordinator a copy of certificate of insurance from an insurance company licensed to do business in the State of Georgia.
- (20) Any lease may be canceled by either party upon the lessee providing 30 days' and the lessor providing 30 days' written notice of cancellation to the other party.
- (21) Any lease executed pursuant to this article shall expire two years from the date of execution; provided, however, that the parties to the lease may at the time of expiration enter into an agreement for an additional term. If no additional term is agreed upon, and notice of cancellation is not given, the lease will continue on a month-to-month basis until canceled by either party.

(Code 1977, § 6-1532; Ord. of 8-18-1994(1), § 1; Ord. of 7-18-1996, § 1; Ord. of 8-15-1996, § 1; Ord. of 11-5-1998, § 1)

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Sec. 6-1533. Application for stands.

Any person desiring to have a place designated as a regular stand for tour service vehicles in the city shall make application by written petition to the mayor and aldermen for the establishment of such tour service vehicle stand, setting out where the stand is desired to be.

(Code 1977, § 6-1533)

Sec. 6-1534. Driver not to leave vehicle while waiting to be hired; tour guide not to leave tours during conduct of same.

It shall be unlawful for any driver of any tour service vehicle to leave the immediate premises of the vehicle while the vehicle is parked in a tour service vehicle stand while waiting to be hired. It shall be unlawful for any tour guide to leave the immediate premises of the tour which he or she is conducting during the conduct of said tour unless and until said tour guide is replaced by another licensed tour guide or a house or museum guide. Published literature provided by tour guides and tour guide services shall specifically describe said conduct as provided in section 6-1531(b) above.

(Code 1977, § 6-1534)

Sec. 6-1535. Soliciting passengers prohibited.

It shall be unlawful for any person to solicit passengers verbally or by gesture, directly or indirectly, at any tour service vehicle stand or upon the streets or sidewalks of the city, or within any public facility of the city.

(Code 1977, § 6-1535; Ord. of 2-15-2007(3), § 1)

Sec. 6-1536. Use of designated bus stops or taxicab or limousine stands prohibited.

It shall be unlawful for any driver of any tour service vehicle to park or stand at any bus stop designated for use by the Chatham Area Transit Authority or at any taxicab or limousine stand except as provided herein for designated loading and unloading zones.

(Code 1977, § 6-1536)

Sec. 6-1537. Restriction on number of passengers.

No driver shall permit more persons to be carried in a tour service vehicle as passengers than the rated seating capacity of the vehicle as rated by the tour services coordinator. A child in arms shall not be counted as a passenger.

(Code 1977, § 6-1537)

Sec. 6-1538. Refusal to carry orderly passengers prohibited.

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless unable or forbidden by the provisions of this article to do so.

(Code 1977, § 6-1538)

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Sec. 6-1539. Prohibitions of drivers.

It shall be unlawful for any driver of a tour service vehicle or any tour guide to attempt to divert passengers or tour guide customers from one hotel, restaurant or business to another or to use a tour service vehicle while for hire for any purpose other than as a tour and sightseeing vehicle.

(Code 1977, § 6-1539)

Sec. 6-1540. Tour service vehicle movement prohibited under certain circumstances.

No driver shall collect fares, make change, or take on or discharge passengers while his tour service vehicle is in motion.

(Code 1977, § 6-1540)

Sec. 6-1541. Property left in tour service vehicle by passenger.

Any tour service vehicle driver or operator discovering in any tour service vehicle under his control personal property which was lost or left therein by a passenger of such tour service vehicle shall report the loss and deliver all of the property to the office of the tour service company within 12 hours after the discovery of the property. The driver's report shall include brief particulars to enable the company to identify the owner of the property. The company shall retain the property on behalf of the owner for at least 60 days.

(Code 1977, § 6-1541)

Sec. 6-1542. Safety equipment required.

- (a) Each tour service vehicle shall be equipped with electrically powered lights or lanterns and reflectors when operating during the hours of darkness.
- (b) Each tour service vehicle shall have on board at all times a four-pound all-purpose fire extinguisher and a first aid kit.

(Code 1977, § 6-1542)

Sec. 6-1543. Traffic regulations.

- (a) Tour service vehicles shall operate on the streets of the city in accordance with the rules of the road as provided in the laws of the state and the ordinances of the city.
- (b) Tour companies are prohibited from operating vehicles, including but not limited to trolleys, vans, automobiles, buses, and motorcoaches, as passenger shuttles for transportation purposes within the historic district, except that they may operate a hotel passenger pickup shuttle on a route from the visitor's center along the following streets: Fahm Street from the visitor's center to Oglethorpe Avenue, Oglethorpe Avenue east to Martin Luther King Jr. Boulevard, Martin Luther King Jr. Boulevard north to Bay Street, Bay Street east to General McIntosh Boulevard, General McIntosh Boulevard east to Harbor Street, then return west on General McIntosh Boulevard to Bay Street continuing west to Price Street, Price Street south to Liberty Street, Liberty Street west to Martin Luther King Jr. Boulevard, cross Martin Luther King Jr. Boulevard to Louisville Road, west on Louisville Road to Boundary Street, north on Boundary Street to Turner Boulevard, Turner Boulevard

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east to Fahm Street and the visitor's center. Tour companies may reverse this route if preferred. Martin Luther King Jr. Boulevard may be traveled south from Oglethorpe Avenue to Liberty Street permitting tour vehicle access to Liberty Street without traversing the entire route. Tour vehicles accessing Liberty Street in this manner may then use Drayton Street north from Liberty Street to Bay Street. Hotel shuttle vehicles shall be permitted to access hotels along the designated route using streets

Immediately adjacent to each hotel leading to the nearest tour bus stop, passenger loading zone, or stop on hotel private property. Private shuttle access to the historic district from south of Gwinnett Street is limited to Drayton Street, Montgomery Street, and Martin Luther King Jr. Boulevard. Any tour service vehicle operating as a hotel passenger pickup shuttle shall be clearly and prominently identified as a "hotel shuttle." Other tour service vehicles may collect passengers from designated stops prior to beginning a tour and may distribute passengers back to the designated stops after a tour ends. Tour companies may provide private contract charter transportation service within the historic district upon prior approval of the tour services coordinator.

- (c) Tour vehicle passenger may board or disembark designated tour bus stops only. Tour service vehicles shall move to the edge of the street pavement before loading or unloading passengers. No tour service vehicle may pause or stop for the sole purpose of narrating a tour. It shall be unlawful for tour service vehicles to operate at such speeds or motion as to obstruct traffic within the city; provided, however, that this section shall not be construed to require the violation of any state, federal, or municipal traffic law or regulation.
- (d) The city manager is hereby authorized, upon the recommendation of the tourism advisory committee and/or the department of tourism and film services, to designate areas in the historic district where the following regulations shall apply:

A maximum of two tour vehicles may be present on a square or street segment at the same time.

Tour vehicles are limited to a maximum of one trip around a square during the course of a tour.

- (e) The city manager is authorized, upon recommendation of the tourism advisory committee, the department of tourism and film services and/or the city traffic engineer, and in coordination with Chatham Area Transit, to designate the number and location of tour bus stops within the historic district.
- (f) Each local tour vehicle company shall submit to the department of tourism and film services a map or maps clearly showing tour vehicle routes to be utilized by the tour company. Such map(s) shall be submitted during January each year. If a tour company changes its route(s) during the year, updated map(s) shall be submitted to the department of tourism and film services. The department of tourism and film services will evaluate our vehicle routes for purposes related to traffic and public safety.

(Code 1977, § 6-1543; Ord. of 7-31-1997, § 1; Ord. of 11-5-1998, § 1; Ord. of 2-15-2007(3), § 1)

Cross reference— Motor vehicles and traffic, pt. 7.

Sec. 6-1544. Limitations on engines running.

No tour service vehicle 35 feet or less in length may stop or park with engines running longer than ten minutes to load and ten minutes to unload.

(Code 1977, § 6-1544)

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Sec. 6-1545. Loudspeakers and recorded messages, activity outside of tours.

- (a) It shall be unlawful to operate loudspeakers outside tour service vehicles within the city; loudspeakers may be operated within the confines of tour service vehicles for the sole benefit of the passengers within the confines.
- (b) No tapes or recorded messages purporting to give information about the city's history or landmarks shall be used in tour service vehicles unless all of the information contained therein is true and factual. The tour services coordinator or his designated representative shall examine the tapes or recorded messages to determine if the information contained therein is true and factual.
- (c) No sound shall be audible outside of the tour service vehicle.
- (d) All activity associated with a tour, including but not limited to interaction with people, actors, other tours and props must be contained within the vehicle or method of conveyance (motor coach, bus, trolley, automobile, van, segways, bicycle, carriage, walking tours, etc.).

(Code 1977, § 6-1545; Ord. of 2-15-2007(3), § 1)

Cross reference— Noise control, § 9-2031 et seq.

Sec. 6-1546. Motorcoaches in the historic district.

- (a) *Operating areas.* Motorcoaches shall not operate on streets designated as prohibited on the prohibited streets map.
- (b) *Prohibited streets map.* There is hereby created and adopted a prohibited streets map with the streets on which motorcoaches shall not operate.
- (c) *Registration required.* All motorcoaches shall be registered with the office of the tour services coordinator and receive a daily permit before transporting passengers within the historic district. The permit shall specify the date, destination, and purpose of visit and be displayed in the lower left-hand corner of the front windshield, in plain view clearly visible from outside the vehicle. If the purpose of the visit is for touring, an additional certified tour guide card is required.
- (d) *Passenger loading.* No motorcoach shall pick up or discharge passengers on the public streets or public properties of the city except at designated loading zones. Vehicles shall park in a designated loading zone for no more than 15 minutes to load and ten minutes to unload passengers, unless such zone is also designated as a timed holding zone. After unloading, the vehicle shall move to a designated holding zone and shall not return to the historic district attraction until the designated time for the end of the tour to load passengers.
- (e) *Parking.* No motorcoach shall park at any location on the public streets or public parking facilities in the historic district except at designated motorcoach holding zones. At no time shall a motorcoach park, after loading or unloading, in a space reserved for public transportation.
- (f) *Limitations on engine running.* No motorcoach may stop or park with engines idling in the Savannah historic district except to load and unload, or as provided for in holding zones designated also as idling zones.

(Code 1977, § 6-1546)

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Sec. 6-1547. Tourism advisory committee.

- (a) *Creation and composition.* There is hereby created a tourism advisory committee, which shall consist of 13 members appointed by the mayor and aldermen. One shall be a representative of the lodging industry; one shall be a representative of a tour company; one shall be a member of the Savannah Visitor's Bureau; one shall be a representative from a historic district, museum or attraction; two shall be members of the downtown neighborhood association; two shall be members of Historic Savannah Foundation; one shall be a representative of the food, beverage and/or retail industries; one shall be at large with demonstrated knowledge of the history and/or architecture of the historic district; two shall be residents at large and one shall be a member at large.
- (b) *Purpose.* The tourism advisory committee shall make policy recommendations to the department of tourism and film services, city manager and mayor and aldermen in the areas of parking and routine of tourism-related traffic activities, the qualification and licensing of tour guides, and the enforcement of tourism management regulations and other related issues.
- (c) *Terms of office.* Advisory committee members shall serve a term of three years and may be reappointed for one additional three-year term. Members may not be reappointed to the committee after completion of their second term until they shall have been off the committee one year. Provided, however, that of those persons initially appointed, four shall be appointed for a one-year term; four for a two-year term; and three for a three-year term.
- (d) *Organization.* The committee shall elect from its membership a chairman and vice chairman. The department of tourism and film services department shall provide administrative assistance to the committee.
- (e) *Meetings.* The committee shall meet at least quarterly.
- (f) *Report.* A report shall be prepared annually summarizing the committee's activities for the previous year.

(Code 1977, § 6-1547; Ord. of 11-5-1998, § 1; Ord. of 2-15-2007(3), § 1)

Sec. 6-1548. Operation of amphibious vehicles.

Pursuant to section 6-1502, paragraph (n) of this article, amphibious or boat-type vehicles shall not operate as tour service vehicles or for any other purpose within the city, except as provided in this section. Amphibious vehicles may operate in an area of the city contained within the following borders: beginning on Indian Street at the Eugene Talmadge Memorial Bridge, east along the north curblane of Indian Street to the east curblane of Martin Luther King, Jr. Boulevard, then south from Indian Street along the east curblane of Martin Luther King, Jr. Boulevard to the north curblane of Oglethorpe Avenue, then east along the north curblane of Oglethorpe Avenue to the east curblane of Montgomery Street, then south along the east curblane of Montgomery Street to the south curblane of Liberty Street, then west along the south curblane of Liberty Street to the east curblane of Martin Luther King, Jr. Boulevard, then south along the east curblane of Martin Luther King, Jr. Boulevard to the south curblane of West Jones Street, then west along the south curblane of West Jones Street to the west curblane of West Boundary Street, then north along the west curblane of West Boundary Street to Oglethorpe Avenue, then along the west side of Highway 17A to and over the Eugene Talmadge Memorial Bridge. Amphibious vehicles are specifically excluded from the Visitors Center Parking Lot.

(Ord. of 7-18-1966, § 1; Ord. of 8-15-1996, § 1)

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Sec. 6-1549. Walking tour provision.

- (a) *Identification.* All walking tour guides must display their permit and name of their company in such a way that it can be clearly visible.
- (b) *Walking tour hotspots.* A list of designated hotspots with specific prohibitions for each will be maintained by the tour services coordinator and reviewed annually. A list of current hotspots will be sent to all licensed our guides upon revision.
- (c) *Prohibited conduct.* Walking tour guides and guests shall refrain from encroaching on private property including, but not limited to, trees, bushes, tree lawns, porches, gardens, steps and streets open to vehicular traffic. No tour may block sidewalks to prevent other pedestrians from passing. Noise of the participants is to be kept at a conversational level. Any artificial voice amplification systems are forbidden. It is the tour guides responsibility to make their guests aware of these prohibitions and obtain compliance.
- (d) *Number of guests.* A walking tour is limited to 30 guests. Motor coach walk-throughs must also have a walking tour escort for groups over 30.

(Code 1977, § 6-1548; Ord. of 7-18-1966, § 1; Ord. of 8-15-1996, § 1; Ord. of 2-15-2007(3), § 1)

Sec. 6-1550. Penalties for violation; issuance of citations; suspension and appeal.

- (a) Failure to comply with this article or any of the laws, ordinances, and regulations of this city may result in revocation of permit and shall be punishable as provided in section 1-1013 of this Code.
- (b) Any citation issued for violation of this article shall be issued to the permit holder at the time of the violation when deemed appropriate by the enforcement officer issuing the citation.
- (c) In the event that an enforcement officer deems it inappropriate to deliver a citation to the permit holder at the time of a violation, a citation may be issued at the time of the violation and delivered by hand or fax to the tour service company. Any such citation shall be delivered by 10:00 a.m. on the business day following the day of issue. Any citation delivered in this manner shall be fully valid, and shall be considered sufficient notice of the charges.
- (d) Any tour service company whose operators receive multiple sustained citations for violating this article in a 30-day period shall be suspended from operating in the visitor's center parking lot or assessed a penalty fee as appropriate. Any motor coach operator whose operators receive multiple sustained citations for violating this article in any 30-day period shall be denied a motor coach permit or assessed a penalty fee as appropriate. Any tour company whose walking tour guides receive multiple sustained citations for violating this article in any 30-day period shall be assessed a penalty fee as appropriate. The schedule of sanctions is shown below.

Number of Citations In 30-Day Period	Local Vehicle Sanctions Visitor's Center OR Suspension	Tour Penalty Fee	Motor Coach Sanctions Permit OR Suspension	Penalty Fee	Walking Tour Sanction Penalty Fee

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5 or more	1 day	\$500.00	5 days	\$500.00	\$500.00
10 or more	3 days	1,000.00	15 days	1,000.00	1,000.00
15 or more	5 days	1,000.00	30 days	1,500.00	1,500.00

Tour companies suspended under this section must pay all outstanding citations in full before parking lot/tour permit privileges will be reinstated.

The suspension days shall be determined by the city. Any tour service company which has been suspended from the visitor's center parking lot may appeal such action pursuant to section 6-1522.

Appropriate sanctions in accordance with the above schedule shall be determined by the city. Any tour service company which has been sanctioned under this section may appeal such action pursuant to section 6-1522.

Tour companies suspended or assessed fees under this section must pay all outstanding citations in full before parking lot or touring permit privileges will be reinstated.

(Ord. of 7-31-1997, § 1(6-1549) ; Ord. of 2-15-2007(3), § 1)

Sec. 6-1551. Reserved.

Editor's note—

Ord. of 2-15-2007(3), § 1, deleted § 6-1551, which pertained to effective date and derived from Code 1977, § 6-1549; Ord. of 7-18-1996, § 1(6-1550); and Ord. of 8-15-1996, § 2.

Secs. 6-1552—6-1560. Reserved.